

HOUSE BILL 3270
By Hargett

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 21, Part 1, relative to pest control operators.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 21, Part 1, is amended by adding the following language as a new section to be designated as follows:

Section 62-21-131.

(a) The department of agriculture shall require any person who is applying for a new charter to engage in commercial pest control activities required by this chapter to meet the following application requirements. Such applicant shall:

(1) Pay a three hundred thirty dollar (\$330) application fee to the department, eighty dollars (\$80.00) of which shall be applied to the criminal history records check required pursuant to subdivision (3);

(2) Provide past work history and personal references;

(3) Supply a fingerprint sample and submit to a criminal history records check to be conducted by the Tennessee bureau of investigation, or a state and federal criminal history records check to be conducted by the Tennessee bureau of investigation and the federal bureau of investigation;

(4) Release to the board or to the department of agriculture any information required for such criminal history records check investigation; and

(5) Provide a permanent business address.

(b) Neither any board member, the department nor any other entity, employee or official of state government shall have any liability for any action taken based upon criminal history records check information provided under subsection (a) except as provided in § 9-8-307.

(c) The board shall not disclose any criminal history records check information obtained under subsection (a) to any person who is not involved in evaluating a person's employment, except as required or permitted by state or federal law.

(d) No person shall be granted a new charter to engage in commercial pest control activities if the person has been convicted of:

- (1) An offense involving serious bodily injury to a person;
- (2) A felony violation involving a Schedule I, II, III, or IV drug;
- (3) Theft where the value of the amount stolen exceeded more than one thousand dollars (\$1,000);
- (4) A violation of § 39-13-805 involving terrorism; or
- (5) A violation of § 39-17-418 occurring less than ten (10) years prior to the date the application for a new charter is filed.

SECTION 2. This act shall take effect July 1, 2004, the public welfare requiring it.